

**GOVERNMENT OF ANDHRA PRADESH**  
**ABSTRACT**

Public Services – Labour Department Sri.D.Lakshimipathi Rao, Assistant Labour Officer – working as Welfare Officer, LWC., Vijayawada Disciplinary action – Punishment of removal from service - Deemed to have been reinstatement – Orders - Issued.

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LABOUR EMPLOYMENT TRAINING AND FACTORIES (VIG) DEPARTMENT

**G.O. Ms .No.77.**

**Dated:28.08.2010.**

**Read the following:-**

1. G.O.Ms.No.55, LET&F(Vig) Deptt, dt:18.07.2006.
2. Orders of APAT in O.A No.6501 of 2006 dt:27.1.2010.

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**ORDER**

Sri. D. Lakshimipathi Rao, Assistant Labour Officer, Vijayawada O/o the Assistant Labour Office, Vijayawada trapped by Anti Corruption Bureau officials on 11.10.2001 when he demanded and accepted an amount of Rs.600/- from the complainant for doing official favour. Subsequently he was placed before the Tribunal for Disciplinary Proceedings for his defence. The Tribunal for Disciplinary Proceedings after enquiry has submitted the report to the Government holding the charge as proved. Government have communicated the report to the Charged Officer for his written representation. After receipt of written representation and based on the report, the explanation of Sri D. Lakshimipathi Rao, was examined and Government have imposed the major penalty of removal from service, on the Accused Officer, in the Government Order 1<sup>st</sup> read above.

**2.** Aggrieved by the said orders, Sri. D. Lakshimipathi Rao, has filed O.A.No.6501/2006 in Andhra Pradesh Administrative Tribunal challenging the orders of his removal from service in the Government Order first read above.

**3.** The Andhra Pradesh Administrative Tribunal in its order 2<sup>nd</sup> read above while allowing the O.A has observed that though strict proof is not necessary to establish guilt of the applicant, in disciplinary enquiry like a criminal charge, the evidence placed by the disciplinary authority and the observations made by the enquiry officer creates any amount of doubts and the version of the complainant is not porobabilized by placing sufficient evidence and set aside the impugned proceedings removing the applicant from service and directed that Sri D. Lakshmipathi Rao shall be reinstated forthwith by extending the notional increments and continuation of service without monetary benefit for the period from the date of removing till the date of reinstatement as the individual did not perform any duty.

**4.** Government after careful examination of the matter in the light of the orders of Andhra Pradesh Administrative Tribunal, dt:27.01.2010 hereby order that Sri D. Lakshmipathi Rao, Assistant Labour Officer is deemed to have been reinstated into service as the individual has already retired from service with effect from 31.7.2010 on attaining the age of superannuation, duly canceling the orders issued in G.O.Ms.No.55, Labour Employment Training & Factories (Vig) Department,dt:18.07.2006 by extending the notional increments and continuation of service without monetary benefits for the period from the date of removing till the date of retirement 31.7.2010, as the individual did not perform any duty.

**5.** The Commissioner of Labour is requested to take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**BHANWAR LAL**

PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner of Labour, Andhra Pradesh, Hyderabad.

Sri. D. Lakshimipathi Rao,

Assistant Labour Officer through Commissioner of Labour Hyderabad.

Copy to:

The Secretary,

Andhra Pradesh Vigilance Commission, Hyderabad.

The P.A to Deputy Secretary, LET&F Department.

SF/SC

//FORWARDED BY ORDER//

**SECTION OFFICER**